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C O N F I D E N T I A L SECTION 01 OF 04 UNVIE VIENNA 000232

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DEPT FOR ISN/RA AND IO/T

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SUBJECT: IAEA/GC: AL PROPOSES NON-THREATENING RESOLUTION ON
ISRAEL

REF: A) UNVIE 140 B) CAIRO 698

Classified By: Charge d'Affairs Geoffrey R. Pyatt for reasons 1.4 b and
d

Summary

11. (C) Arab League (AL) SYG Amr Moussa conducted consultations in Vienna April 16-18 regarding an AL sponsored agenda item in the IAEA General Conference (GC) on the "Israeli Nuclear Threat." In an April 17 meeting with Ambassador Schulte, Moussa insisted that the AL would re-introduce an agenda item and resolution citing Israel's adherence to the NPT in the October GC. A draft would be circulated within the next two weeks. Moussa stressed flexibility on the language of a resolution, which would be "factual" and not provocative, though he did not explicitly offer to drop the word "threat" from the title. He cited the language of the 2000 NPT Revcon resolution as a possible model. Ambassador Schulte argued for returning to a consensus package that must include the "Egyptian" Middle East Safeguards resolution but Moussa rejected any such linkage. The AL also unsurprisingly rejected any equivalence between Israel's adherence to the NPT and Iran's noncompliance. Ambassador Schulte opposed a single country resolution citing Israel at the GC, and argued that the General Conference should not be politicized. The AL insisted on having this debate in the General Conference. Moussa also met separately with DG ElBaradei who reportedly does not want a repeat of last year's GC confrontation and hoped for a single resolution on the Middle East. Moussa told the DG that the AL is willing to engage on a Middle East Forum, but not as a substitute for a GC resolution. According to a German readout, Moussa made many of the same points to the EU in an April 18 meeting. Germany cautioned that some EU members expressed principled support for a ME NWFZ, and many others would be receptive to a resolution dropping the word "threat" as a step in the right direction.

12. (U) AL participants: SYG Moussa was accompanied by AL Director for Disarmament and Multilateral Affairs Wael Al-Assad, who had met with Vienna Missions in February (ref a), and AL Head of European Organizations Division Omnia Taha. Also present in the meeting with Ambassador Schulte were AL Ambassador to the IAEA Mikhail Wehbe and Algerian Ambassador Taous Feroukhi in her capacity as Chair of the Arab group in Vienna. End Summary.

AL Insists on Resolution

13. (C) AL SYG Moussa began by saying that he was in Vienna early in the hopes of coming to consensus on this high sensitivity issue for the Arab League. He regretted the "confusion" in last year's General Conference (GC), and clarified that the AL fully intends to reintroduce a separate agenda item and resolution on Israel. The AL sought a frank discussion in the GC of the precarious nuclear situation in the region. He underlined that the nuclear issue must not be conflated with the Arab-Israeli conflict, but rather, the focus should be the fact that Israel is the only state in the region that has not joined the NPT.

14. (C) Moussa claimed that the AL is "flexible" on language but any resolution must call on Israel to join the NPT and implement IAEA safeguards. The language could not depart from that of previous GC resolutions or Presidential Statements and resolutions in other UN fora, he added. He argued that calling on Israel in this context was not a question of condemnation or denigration but a necessary step to establish a NWFZ. The U.S., he noted, has upheld the universality of the NPT and was part of the 2000 NPT Revcon consensus on establishment of a ME NWFZ. He specifically cited the 2000 Revcon language as a model for the GC resolution. The AL would redraft their resolution in the next two weeks and seek feedback from the U.S. and others. He asked that the U.S. not reject the resolution out of hand and engage on the substance. The AL insisted on a resolution rather than a Presidential Statement under this agenda item.

No Provocation

15. (C) Moussa sought to assure Ambassador Schulte that the resolution would steer away from "provocative" language,

UNVIE VIEN 00000232 002 OF 004

referring to the term "threat" in passing. (Note: He did not explicitly say that "threat" would be dropped from the title. End note.) The resolution would be "factual" rather than provocative as Israel is the only non-NPT state in the region. Moussa underlined that the Arab position was unified and that Arab states did not seek confrontation, did not want to break consensus and did not want a vote. However, the Arab group also did not want a "veto" on the resolution from the outset and sought a substantive exchange on their draft. It would not be "provocative" but also would not "beat around the bush." He did not understand why Israel should not be cited, as joining the NPT was a necessary condition for the establishment of a NWFZ.

16. (C) The Arab side was frustrated, Algerian Ambassador Feroukhi, Chair of the Arab Group in Vienna, admitted, and wanted at least a discussion of the issue in the General Conference, even if we could not come to agreement on a resolution. Moussa insisted that substantive discussion in the GC should not be prevented.

U.S.: Back to Consensus

17. (C) Ambassador Schulte assured Moussa that the U.S. respected the importance of this issue to countries in the region. He recounted how the carefully agreed consensus had broken down in the last two GCs, leading, despite the U.S.'s best efforts, to two successive "train wrecks" that served no one's purpose. Once again, last year, he thought a "win-win" package could be agreed based on the 2006 Middle East Safeguards resolution and a Presidential Statement, only to see it collapse as a result of Egyptian intransigence. He questioned whether some countries are committed to consensus or seek confrontation.

18. (C) After the no-action motion on the "Israeli Nuclear Threat" (INT) item two years ago, the U.S. agreed to allow the agenda INT item in the last GC, he explained, only because we thought we could get back to a consensus package.

Ambassador Schulte underlined the U.S. position that the Middle East Safeguards Resolution and the INT are inextricably linked, and must be considered together. He opposed a single country resolution on Israel, which would put Israel on a par with the DPRK as the only other country that is the subject of a GC resolution. Ambassador Schulte insisted that this debate not impinge on the core work of the IAEA GC, citing the vote on the omnibus Safeguards resolution last year. He noted that the IAEA was not the NPT PrepCom and should not be politicized.

¶9. (C) Ambassador Schulte further observed that Iran's noncompliance posed a bigger hurdle to the establishment of a NWFZ in the region. He noted that Board resolutions and the preamble of UNSCR 1803 linked Iran's compliance with its NPT and Safeguards obligations to the establishment of a Middle East NWFZ. Moussa distinguished between the need for Israel's adherence to the NPT and compliance, though "we're all for the latter." AL Director for Disarmament and Multilateral Relations Al-Assad clarified that "adherence" and "compliance" could not be conflated.

No Package

¶10. (C) Moussa rejected any linkage with the Egyptian resolution, arguing that the two resolutions "went in different directions." What Egypt did with its resolution was its prerogative, he said. The DCM reiterated that the disposition of the INT agenda item was crucially affected by the Egyptian resolution; the two were inseparable and it was not realistic to look at the AL resolution in isolation. The U.S. sought a signal from Egypt or the Arab League that a package deal was agreeable. A single resolution would be the ultimate package deal, Ambassador Schulte added. Moussa insisted that Egypt had a right to table its own resolution, though the U.S. could "consider it a package," if it was so inclined.

¶11. (C) Ambassador Schulte further stressed the merits of a win-win package that everyone, including Israel, could accept. He observed that any consensus should include Israel and encouraged Arab states to engage Israel on the issue. Moussa said he did not want to bring the Arab-Israeli conflict to the table by sitting down with Israel. Although formal negotiations would be difficult, he acknowledged that

UNVIE VIEN 00000232 003 OF 004

Arab states could "get to certain agreement" with Israel. Feroukhi also claimed to be willing to speak with the Israeli Ambassador. However, Moussa noted that the difficulty of achieving such a win-win given that a resolution Israel could agree to "would say nothing."

Forum Possible, DG Weighs In

¶12. (C) Ambassador Schulte asked whether the AL was prepared to take practical steps, such as agreeing to the Middle East Forum, toward the establishment of NWFZ. Moussa did not preclude holding a Forum, and said the issue had come up in his meeting with DG ElBaradei. He had assured the DG that the AL would be prepared to engage on a Forum. However, the Forum could not be a substitute for a resolution in the GC, he added.

¶13. (C) The DG's Chief of Staff subsequently provided a readout of Moussa's meeting with ElBaradei. The DG's main message to Moussa was that he did not want an embarrassing repeat of last year's GC. ElBaradei believes that Moussa could be amenable to combining the MES and INT resolutions into one with a neutral title that does not include a reference to Israel. (Comment: This is the opposite of what Moussa told us, rejecting linkage to the Egyptian MES resolution. End Comment.)

¶13. (C) According to a German readout, Moussa made many of the same points to the EU in a separate meeting April 18. He reaffirmed that the AL would reintroduce a separate agenda item and resolution that would underline the goal of establishing a NWFZ and directly address Israel's adherence to the NPT. He said a draft would soon be circulated. Moussa stressed the AL's flexibility on language and willingness to consider to the title of the agenda item, though he did not explicitly offer to drop the word "threat."

German DCM Kimmerling had heard that the Arab group is discussing this option, which EU members would see as a step in the right direction.

¶14. (C) Speaking in their national capacity at the meeting with Moussa, EU members underlined the need for consensus. France and the UK made strong arguments about not politicizing the IAEA and respecting its mandate. Germany echoed France's support for a single agenda item on the Middle East. They also cautioned Moussa that a repeat of the last two GCs, where the carefully negotiated compromise had unraveled, was possible. However, Kimmerling noted, without naming names, some EU members expressed unqualified support for the aim of a Middle East NWFZ.

¶15. (C) Separately, French DCM Gross told Msnoff that France will continue to oppose a second agenda item on Israel, though he has informally floated the idea of one agenda item with two resolutions. In a recent letter to the Egyptian FM, France took the position that the 2006 ME Safeguards resolution with due consideration to French amendments should be the basis for discussion in the GC. Egypt has not yet responded. As for the INT, France did not have high hopes that the AL draft would be a basis for consensus or that the content of a combined single resolution would be agreeable. At the same time, France wants to appear open to dialogue and is willing to consider a proposal for a revived ME Forum that may be put forward by a Paris-based EU think tank.

Comment

¶16. (C) Still licking its wounds from its defeat in two successive GCs, the Arab League is nevertheless determined to press ahead with a resolution citing Israel. Clearly, the talk of "flexibility" on language is designed to woo the wobbly Europeans. (Note: The head of the AL European Organizations Division Omnia Taha also accompanied Moussa to Vienna. End Note). The AL may propose an agenda item/resolution on "Israeli Nuclear Capabilities" as in the UNGA First Committee, where it has EU support. If this is the case, we will be hard pressed to convince EU members that such an agenda item is out of order in the IAEA General Conference. Nevertheless, we would argue that the IAEA GC is not the place for such a politicized agenda item.

UNVIE VIEN 00000232 004 OF 004

¶17. (C) The fact that the DG, who has steered clear of the MES/INT debate in the past, has weighed in with Moussa is a good sign. ElBaradei also has a stake in not allowing this issue to derail the GC.
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